



Miedel & Mysliwiec LLP


Granted. Lopez's submission is due by July 16, 2021.
The Government's response is due by August 6, 2021.
Lopez's reply, if any, is due by August 20, 2021.

June 14, 2021

SO ORDERED.

Hon. Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

June 14, 2021



PAUL A. ENGELMAYER
United States District Judge

Re: *United States v. Carlos Lopez*
16 Cr. 317 (22) (PAE)
19 Cv. 3463 (PAE)

Dear Judge Engelmayer:

On March 16, 2021, the Court appointed me to assist Mr. Lopez with the re-filing of his 28 U.S.C. § 2255 petition. The filing deadline is currently set for June 16, 2021. With the consent of the government, I respectfully request a 30-day extension of the briefing deadline.

On April 28, pursuant to an appointment made with the legal department at MDC, I went to visit Mr. Lopez to discuss the § 2255 petition. Upon arrival, I was told that Mr. Lopez had left the facility that day. Since that time I have made numerous efforts to both locate Mr. Lopez, and, in the one instance where I discovered his location, to schedule a legal call, to no avail. Within the last week, Mr. Lopez appears to have arrived at his final location, FCI Gilmer. We have tried to schedule a legal call but have had no response from the facility. I suspect that Mr. Lopez is currently in quarantine with no access to the outside world.

Without speaking to Mr. Lopez, I cannot proceed and cannot make a final determination about whether the petition should be refiled. Accordingly, I respectfully request an extension of the briefing deadline by 30 days.

Thank you for your consideration.

Sincerely,

/s/

Florian Miedel
Attorney for Carlos Lopez

Cc: AUSA Eli Mark